

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
ANGELLA DALEY,	:	
	:	<u>ORDER</u>
	:	
Plaintiff,	:	20 Civ. 10151 (GWG)
	:	
-v.-	:	
	:	
COMMISSIONER OF SOCIAL SECURITY,	:	
	:	
Defendant.	:	
-----X	:	

GABRIEL W. GORENSTEIN, United States Magistrate Judge

The principles governing review of social security appeals are set forth in Aguirre v. Saul, 568 F. Supp. 3d 477 (S.D.N.Y. 2021). For the reasons stated on the record following the oral argument held in this matter on July 15, 2022, the Commissioner's motion for judgment on the pleadings (Docket # 15) is granted in part and denied in part and Daley's cross-motion for judgment on the pleadings (Docket # 25) is granted in part and denied in part. The case will be remanded to the Commissioner. On remand, the Commissioner shall:

(1) evaluate whether Angella Daley has limitations in her ability to reach that affect the residual functional capacity already found by the Commissioner in the decision dated June 4, 2020. In doing so, the Commissioner shall address the opinions of Dr. Ravi and any other pertinent evidence in the record. If the Commissioner finds any limitation in Daley's ability to reach, the Commissioner shall, in light of the amended finding as to residual functional capacity, make a determination whether jobs exist in significant numbers in the national economy that Daley can perform.

(2) decide whether Daley meets or medically equals the criteria of an impairment listed in Paragraph C of Listing 12.04 ("Depressive, Bipolar, and Related Disorders") and provide an explanation for the conclusion.

(3) take any other action pertinent to deciding plaintiff's application for benefits.

The case is remanded for the above purposes. The Clerk is requested to enter judgment and to close this case.

SO ORDERED.

Dated: July 15, 2022
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge